

## REMARKS

Claims 1-8, 16, 19, 22, 24-25, and 28 are pending. Claim 4 stands rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 1-8, 19, and 25 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 5,838,812 to Pare et al. Claim 1 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. 6,269,348.

Reconsideration is requested. No new matter is added. The rejections are traversed. Claim 3 is amended to correct a typographical error. Claims 1-8, 16, 19, 22, 24-25, and 28 remain in the case for consideration.

## DOUBLE PATENTING REJECTION

A terminal disclaimer will be filed to overcome the obviousness-type double patenting rejection over U.S. Patent No. 6,269,348, once claim 1 is indicated as otherwise allowable.

## REJECTION UNDER 35 U.S.C. § 112, ¶ 2

The Applicant is unclear about this rejection. The Examiner indicated that there is no antecedent basis in claim 4 for the rule module. But claim 4 uses the indefinite article "a," not a definite article. Accordingly, no antecedent basis is needed. The Applicant believes the rejection under 35 U.S.C. § 112, ¶ 2 is unfounded.

## REJECTION UNDER 35 U.S.C. § 102(e)

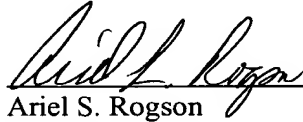
In an Interview with Examiner Fischetti held on December 12, 2003, the undersigned pointed out that the '812 patent and the patent application share a common ancestor: Applicant's U.S. Patent No. 5,613,012. The '812 patent is a true continuation of the '012 patent, whereas the patent application is a continuation in part of the '012 patent, from which priority is already claimed in this patent application. The Examiner agreed that, based on the Examiner's rejection of the claims in the patent application, the claims are entitled to the effective filing date of the '012 patent. As the effective filing date of the '012 patent is no later than the effective filing date of the '812 patent, the rejection of the claims under 35 U.S.C. § 102(e) as being anticipated by the '812 patent is hereby removed. As requested by the Examiner in the December 12, 2003, interview, a copy of the '012 patent is hereby attached.

In the alternative, the Applicant traverses the rejection of the claims under 35 U.S.C. § 102(e) as being anticipated by the '812 patent. The Applicant believes that the '812 patent does not teach scrip as claimed. Accordingly, the '812 patent would not anticipate the claims of the patent application.

For the foregoing reasons, reconsideration and allowance of claims 1-8, 16, 19, 22, 24-25, and 28 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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